



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/081,737	05/19/98	LIU	19959Y

000210
MERCK & CO., INC.
PATENT DEPARTMENT

0242/0625

NOT ASSIGNED

10/05/1998 ASEL MAN 00000032 132755 09081737
RAHWAY NJ 07065-0902
01 FC:105 130.00 CH

1654

DATE MAILED: 06/25/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.
- Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required:
- \$ _____ for _____ independent claims over 3.
 - \$ _____ for _____ dependent claims over 20.
 - \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FORM PTO-1533 (REV. 9-97)

this correspondence is being processed by the United States Patent and Trademark Office. Please do not send any correspondence to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.
J. Mitchell
6/25/98



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Liu and Chen		
Serial No.:	09/081,737	Case No.:	19959Y
Filed:	May 19, 1998		Art Unit: 1654
For:	HUMAN UNCOUPLING PROTEIN 3		Examiner: To be assigned

Assistant Commissioner of Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS. FILING DATE GRANTED**

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER OF PATENTS WASHINGTON, D.C. 20231,
ON THE DATE APPEARING BELOW.

BY: J. Mark Hall
MERCK & CO., INC.
REGISTRATION. NO.: 36,545
DATE: September 25, 1998

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, issued June 25, 1998 in regard to the above-identified application (copy enclosed), Applicant hereby submits an executed Declaration/Power of Attorney form. This Declaration/Power of Attorney form was executed by Qingyun Liu and Fang Chen on August 21, 1998.

A fee of \$130.00, as a large entity, has been calculated to be due for entry of the executed Declaration/Power of Attorney. Please charge the fee to Deposit Account No. 13-2755. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

Enclosed is a Petition under 37 C.F.R. §1.136(a) to extend time for responding to the Notice one (1) month, up to and including September 25, 1998. In the event any additional extension of time is required to respond to this Notice or to enter the Preliminary Amendment submitted herewith, please treat this paper as a request under 37 C.F.R.

§1.136(a) to extend the time as required, and charge Deposit Account No. 13-2755 the appropriate fee as a large entity. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

Respectfully submitted,

Date: September 25, 1998

By J. Mark Hand

J. Mark Hand
Reg. No. 36,545
Attorney for Applicant
Merck & Co., Inc. P.O. Box 2000
Rahway, NJ 07065-0907
(732) 594-3905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231



In re application of: QINGYUN LIU AND FAN CHEN

Serial No. 09/081,737

Filed May 19, 1998

Group Art Unit 1654

Examiner TO BE ASSIGNED

For: HUMAN UNCOUPLING PROTEIN 3

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
☐ The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional fee
Total Claims	* 48	-	** 44 =	4 X	\$22	= 88.00
Independent Claims	* 12	-	*** 12 =	0 X	\$82	= 0.00
Multiple Dependent Claims		-	=	0 X	\$270****	= 0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						88.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

**** Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 88.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. Duplicate copies of this sheet are enclosed.

Respectfully,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

By J. Mark Hand Date 9/25/98
MERCK & CO., INC.

By J. Mark Hand
Attorney for Applicant(s)

Reg. No. 36,545
MERCK & CO., INC.
Patent Dept.
P.O. Box 2000
Rahway, N.J. 07065-0907
(732)594- 3905

Date: September 25, 1998

IN TRIPLICATE



Date: September 21, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

Applicant(s): Qingyun Liu And Fang Chen

U.S.S.N.: 09/081,737

Case No.: 19959Y

Filed: May 19, 1998

For: HUMAN UNCOUPLING PROTEIN 3

PATENT

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Tel (732)594-4000
Cable MERCKRAH
Telex 138825



MERCK

Sir:

This is a request and authorization for charging Deposit Account No. **13-2755** to cover the following:

Appeal Brief.....\$	_____
Disclaimer Fee.....\$	_____
Late Filing Decl. Surcharge	\$ <u>130.00</u>
_____	\$ _____
_____	\$ _____
Total Fee.....\$	<u>130.00</u>

In the event that actual fee differs from that specified above, it is requested that the overpayment or underpayment be credited or charged to the above-stated account number.

Respectfully,

J. Mark Hand 9/25/98

By: J. Mark Hand

Attorney _____ for Applicant(s)

Reg. No. 36,545

(732)594- 3905

(IN TRIPLICATE)

REV. 7/1/97

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.

By J. Mark Hand Date 9/25/98